

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR-349 of 2008

DATE OF DECISION: 08.04.2017.

Surinder Pal Sandhu

...Petitioner.

Versus

Sunil Babbar

...Respondent.

CORAM: HON'BLE MR. JUSTICE (DR.) SHEKHER DHAWAN

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Ravi Malhotra, Advocate
for the respondent.

SHEKHER DHAWAN, J.

The present revision petition by Surinder Pal Sandhu is directed against the judgment of conviction and order of sentence dated 03.03.2006 passed by Judicial Magistrate Ist Class, Jalandhar, whereby he was convicted under Section 138 of the Negotiable Instruments Act (hereinafter referred to as, 'the Act') and was sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.5,000/- and in default of payment of the fine to further undergo simple imprisonment for one year.

The petitioner preferred first appeal against the judgment of conviction and order of sentence dated 03.03.2006 before Additional Sessions Judge, Jalandhar who while upholding the judgment of conviction, reduced the substantive sentence of the petitioner from one year to six months under Section 138 of the Act and the appeal was partly allowed.

Today, the matter was taken up in the National Lok Adalat and

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the parties have arrived at an amicable settlement. The petitioner in his

statement has stated as under:-

“I want to settle the matter and to pay a sum of Rs.1,00,000 (Rupees one lakh only) in four equal monthly installments as full and final settlement. However, I undertake that in case I fail to make the payment of any of the installments by 10th of any month, my present petition be dismissed.”

Respondent-Sunil Babbar agreed to the above said proposal.

In view of the above, this petition stands allowed and the judgment of conviction and order of sentence dated 03.03.2006 passed by Judicial Magistrate Ist Class, Jalandhar and the judgment dated 25.01.2008 of Additional Sessions Judge, Jalandhar are set aside. However, it is made clear that if the petitioner fails to abide by the aforesaid undertaking, this petition shall stand dismissed.

(SHEKHER DHAWAN)
President

(AMAN DHIR)
Member

08.04.2017.
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